



Attorney Docket No.: 9289-3

61 AF 3764
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gary Mitchell et al;
Application No.: 09/998,039
Filed: November 30, 2001
For: BICEPS CURL MACHINE

Group Art Unit: 3764
Examiner: F. Mathew

Date: June 25, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated December 30, 2003 at least twice rejected or finally rejecting claims 1-38.

Enclosed is a check in the amount of \$330.00 for the Appeal fee as provided by 37 C.F.R. § 1.17(b).

Payment by credit card is requested. Form PTO-2038 is attached.

A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

Also enclosed: _____

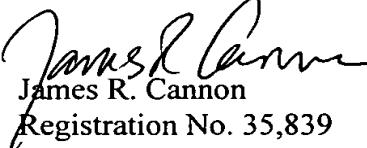
The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0220.

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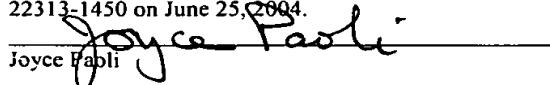
Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 25, 2004.


Joyce Fapli